



AGENDA
September 24, 2019
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATIONS

Green Team

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fees
2. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
3. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for August 2019
4. Resolution authorizing the Chief Financial Officer to refund construction permit fee
5. Resolution authorizing the Chief Financial Officer to refund overpaid taxes for 2019
6. Resolution authorizing the Chief Financial Officer to draw warrant for overpaid taxes in 2019
7. Resolution authorizing the Tax Collector to participate in an electronic tax sale
8. Resolution to continue contract with Spatial Data Logic (SDL)
9. Resolution to approve insertion of special item of revenue in the municipal budget (Drunk Driving Enforcement Fund)

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve Children's Amusement Device
2. Resolution authorizing the Mayor to sign the Interlocal Agreement for Leaf Collection Services

Public Works Committee

1. Resolution authorizing Change Order No. 1 for the 2019 Improvement of Rahway Avenue
2. Resolution to award contract for Tree Pruning Services
3. Resolution to award contract for the 2019 Improvement of Lot #7 at North Avenue
4. Resolution to cancel previous contract and award new contract for Mindowaskin Park Pathway Improvements
5. Resolution to award contract for the 2019 Leaf Collection Program

ORDINANCES

GENERAL ORDINANCE NO. 2146

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13

GENERAL BUSINESS

COMMITTEE REPORTS

Public Safety, Transportation & Parking

OPEN DISCUSSION BY CITIZENS (as needed)

EXECUTIVE SESSION

REMINDER

Next Conference Meeting – October 15, 2019

Next Council Meeting – October 15, 2019

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

| | | | |
|---------------------|-------|-----------|----------|
| Robert Saunders | Lot 8 | #19080290 | \$200.00 |
| 241 North Ave West | | | |
| Westfield, NJ 07090 | | | |

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

Alania Aesthetics LLC
138 Elmer Street
Westfield, NJ 07090

Amount of refund: \$975.00

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$15.60 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of August 2019.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, Magnolia Home Remodeling., made an application for a construction permit for bedroom remodel located at 645 Shackamaxon Drive, Block 4301, Lot 61 Westfield, New Jersey.

WHEREAS, Magnolia Home Remodeling., remitted \$460.00 for aforesaid permit.

WHEREAS, Magnolia Home Remodeling., subsequently requested not to do the above mentioned project.

WHEREAS, Magnolia Home Remodeling., has made an application for refund of eighty percent (80%) of permit fee.

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer be, and hereby is authorized to draw a warrant in the sum of \$368.00 payable to Magnolia Home Remodeling 1640 Vauxhall Road, Union NJ, 07083.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2019:

| Block/Lot/Qualifier | | Quarter/Year |
|--|-------------------------|-----------------------|
| <u>Name</u> | <u>Property Address</u> | <u>Amount</u> |
| 603/24 | 751 Lawrence Avenue | 3 rd /2019 |
| CoreLogic Tax Collection Services, LLC | | \$25,755.49 |
| Post Office Box 9236 | | |
| Coppell, TX 75019-9801 | | |

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of Westfield wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of Westfield, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, Westfield Crossing, LLC, P.O. Box 4449, Warren, NJ 07059 has paid the required bond of \$500.00 to cover Road Opening Permit No. 18-256 for 321 Grove Street East, and

WHEREAS, Westfield Crossing, LLC has requested that this amount be returned, and

WHEREAS, the Town Engineer has inspected the roadway excavation and has found the excavation to have been properly repaired,

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Westfield Crossing, LLC for \$500.00 and forward to Westfield Crossing, LLC, P.O. Box 4449, Warren, NJ 07059.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$3,000 to the order of the United States Postal Service to replenish bulk mail permit no. 683 in order to process the Town's brochure.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, the Town of Westfield, by Resolution No. **228-2018**, entered into a contract a with Spatial Data Logic (SDL), 285 Davidson Avenue, Suite 302, Somerset, New Jersey 08873 for the automation of various permits; and

WHEREAS, the Town of Westfield would like to renew this contract for automation services provided by SDL, and to include certain licensing and records request functions; and

WHEREAS, the Town Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, SDL has completed and submitted a Business Entity Disclosure Certification which certifies that SDL has not made any reportable contributions to a political or candidate committee in the Town of Westfield in the previous one year, and that the contract will prohibit SDL from making any reportable contributions through the term of the contract, and

WHEREAS, the Business Disclosure Entity Certification and the Determination of Value received from SDL shall be placed on file along with this resolution in compliance with PL 2005, C271,N.J. S.A. 40A:11-51.

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in an amount not to exceed \$31,500.00 charged to Budget Accounts 9-01-165-214 (\$30,000.00) and 9-01-100-256 (\$1,500), and prepared in accordance with N.J.A.C. 5:30 1.10; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield as follows:

1. The existing contract with SDL for the automation of construction code permits be and hereby is expanded to include additional modules for certain licensing and records requests at a total cost not to exceed \$31,500.00 via Purchase Order No.19-03758; and
2. The term of the contract will be for a term of one (1) year; and
3. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract; and
4. This contract is awarded through an alternative process in accordance with N.J.S.A. 19:44A-20.5.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, N.J.S.A.40A:4-87 (Chapter 159, P.L. 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by the law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$3,734.29, which is now available from the Division of Highway Traffic Safety, Drunk Driving Enforcement Fund; and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations

Public and Private Programs Offset by Revenues

Drunk Driving Enforcement Fund

\$3,734.29

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

TOWN OF WESTFIELD

WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

SEPTEMBER 24, 2019

BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield be and hereby ratify, affirm and approve the following application for children's amusement devices:

Seashore Amusements Inc.
11 Hendry Lane
Brick, NJ 08723

Festifall
September 22, 2019
Train Station Parking Lot
Westfield, NJ 07090

Seashore Amusements Inc.
11 Hendry Lane
Brick, NJ 08723

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

SEPTEMBER 24, 2019

BE IT RESOLVED that the Mayor and appropriate town officials are hereby authorized to sign the Interlocal Agreement for Leaf Collection Services between the Township of Scotch Plains and the Town of Westfield.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, on June 18, 2019 the Town Council of the Town of Westfield awarded a contract by Resolution #2019-164 to American Asphalt & Milling Services LLC, for the **2019 Improvement of Rahway Avenue** as authorized by S.O. 2216A, under Purchase Order #19-02344, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to S.O. 2216A, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the amount of \$18,238.72 executed by Kris J. McAloon, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make Final Payment in the amount of \$20,453.01 and to effect whatever actions are appropriate by said acceptance for the **2019 Improvement of Rahway Avenue**, with a final amended contract price of \$332,954.47.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, a need exists for the contracting of outside services to supplement and assist the Department of Public Works Forestry Division, as provided for in Public Works account 137-254, and

WHEREAS, sealed bids were received on Wednesday, August 28, 2019, and

WHEREAS, the low bid, submitted by Harmony Tree Care, 230 Mt. Harmony Road, Bernardsville, NJ 07924 has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Public Works account 137-254, under Purchase Order PO#19-03759.

NOW THEREFORE BE IT RESOLVED, that a Daily Rate Unit Price Contract for Part A – Bucket Truck Crew (\$1,450.00) and Part B – Climbing Crew (\$1,850.00) be awarded to Harmony Tree Care, in an amount not expected to exceed \$50,000.00, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

SEPTEMBER 24, 2019

WHEREAS, sealed bids were received by the Town Clerk on September 18, 2019 for the **2019 Improvement of Lot #7 at North Avenue** in Westfield, New Jersey as authorized by S.O. 2216A, and

WHEREAS, the low bid, in the amount of \$69,000.00, submitted by AA Berms, LLC, P.O. Box 180, Belleville, NJ 07109 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Special Ordinance 2216, account C-07-19-221-6A1, under Purchase Order PO#19-03760 .

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$69,000.00 be awarded to AA Berms, LLC, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE
2019

SEPTEMBER 24,

WHEREAS, on June 13, 2018, sealed bids were received by the Town Clerk for 2018 Various Road Improvements in Westfield, New Jersey as authorized by S.O. 2206D and S.O. 2212A3; and

WHEREAS, said bid included an Alternate item, specifically “Alternate Item A1, Concrete Sidewalk, 4” Thick, Stamped and Colored,” for repaving of the sidewalks within Mindowaskin Park; and

WHEREAS, at a meeting held June 19, 2018, the Town Council of the Town of Westfield adopted Resolution No. 164-2018, which authorized an award of contract to Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 for 2018 Various Road Improvements; and

WHEREAS, in accordance with N.J.S.A. 40A:11-23.1(d), the Town exercised its option and included the aforementioned alternate item in the award of contract to Fischer Contracting, Inc.; and

WHEREAS, for both safety and aesthetic reasons, the Town of Westfield determined that the sidewalks in Mindowaskin Park should be constructed out of asphalt rather than stamped concrete; and

WHEREAS, by letter dated August 28, 2019, the Westfield Town Attorney notified Fischer Contracting, Inc. of the Town’s decision to cancel this portion of the contract and rebid for the paving of sidewalks for Mindowaskin Park; and

WHEREAS, sealed bids were received by the Town Clerk on September 18, 2019 for the **2019 Mindowaskin Park Pathway Improvements** in Westfield, New Jersey as authorized by S.O. 2206D, and

WHEREAS, the low bid, in the amount of \$183,718.70, submitted by Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Special Ordinance 2206, Account C-07-222-06D, under Purchase Order PO#19-03773 .

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$183,718.70 be awarded to Fischer Contracting Inc. for 2019 Mindowaskin Park Pathway Improvements, and

BE IT FURTHER RESOLVED, that the proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents; and

BE IT FURTHER RESOLVED that Alternate Item “A1, Concrete Sidwalk, 4” Thick, Stamped and Colored”, in the amount of \$377,625.00 be and hereby is cancelled as part of the contract awarded to Fischer Contracting, LLC for 2018 Various Road Improvements Project.



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING
Tuesday, September 24, 2019
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Presentations
 - Swearing In Ceremony for Westfield Police & Fire Departments
 - Green Team-Award of Westfield Green Medallions
 - Proclamation – Westfield Mental Health Council
5. Appointments
6. Advertised Hearings

GENERAL ORDINANCE NO. 2143

AN ORDINANCE AMENDING AND SUPPLEMENTING “THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY”, IN ORDER TO PREVENT INCONSISTENCIES REGARDING THE DEFINITION OF THE TERM “MURAL”

GENERAL ORDINANCE NO. 2144

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO ESTABLISH ELECTRIC VEHICLE INFRASTRUCTURE REGULATIONS

GENERAL ORDINANCE NO. 2145

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO PERMIT LARGER FENCING WHEN NECESSARY FOR SAFETY

SPECIAL ORDINANCE NO. 2218

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW PUMPER FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE

SUM OF \$665,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

7. Approval of Minutes from Town Council Conference Session held September 3, 2019
Approval of Minutes from Town Council Regular Meeting held September 3, 2019
Approval of Minutes from Town Council Special Meeting held September 17, 2019
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$766,952.16
11. Reports of Standing Committees

Finance Policy Committee

10. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fees
11. Resolution authorizing the Chief Financial Officer for refund of dumpster security payment
12. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for August 2019
13. Resolution authorizing the Chief Financial Officer to refund construction permit fee
14. Resolution authorizing the Chief Financial Officer to refund overpaid taxes for 2019
15. Resolution authorizing the Chief Financial Officer to draw warrant for overpaid taxes in 2019
16. Resolution authorizing the Tax Collector to participate in an electronic tax sale
17. Resolution to continue contract with Spatial Data Logic (SDL)
18. Resolution to approve insertion of special item of revenue in the municipal budget (Drunk Driving Enforcement Fund)

Public Safety, Transportation and Parking Committee

1. GENERAL ORDINANCE NO. 2146
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13

Code Review & Town Property Committee

1. Resolution to approve Children's Amusement Device
2. Resolution authorizing the Mayor to sign the Interlocal Agreement for Leaf Collection Services

Public Works Committee

6. Resolution authorizing Change Order No. 1 for the 2019 Improvement of Rahway Avenue
7. Resolution to award contract for Tree Pruning Services
8. Resolution to award contract for the 2019 Improvement of Lot #7 at North Avenue
9. Resolution to cancel previous contract and award new contract for Mindowaskin Park Pathway Improvements
10. Resolution to award contract for the 2019 Leaf Collection Program

12. Reports of Department Heads

Adjournment